

Sir John Wintours Vindication from the Aspersions of Destroying the Ship-Timber of the Forrest of Deane.

WHereas it hath been given out that the destruction of the Ship-Timber in the Forrest of *Deane* was long since plotted by Papists upon intelligence with the *Pope* and *Spaniard* for the weakening of the Naval Force of this Realm, and that in pursuance thereof, the said Ship-Timber, hath been very much destroyed, and Sir *John Wintour* hath been, and is a principal promoter of the said design of destroying the said Ship-Timber, by virtue of certain Letters Patents obtained from the late KING (of Blessed memory) whereby the greatest part of the Soyl, Woods, Underwoods, Tymber-trees, & other trees, of that Forrest were granted unto him.

And whereas the tenderness of that so precious a Comodity to this Nation as Ship-timber, with the visible destruction of the same in that Forrest, hath made deep & deserved impression, in the mindes of many Honourable Persons, Members of *Parliament*, & others, to the great prejudice and scandal of the said Sir *John Wintour*, he thought it his duty to vindicate his Reputation, so foully aspersed thereby, and for the clear satisfaction of the said Honourable Members, and others aforesaid, to publish this short ensuing narrative concerning the same.

It may appear by the Records of the Exchequer, That from the first cutting of Trees for the use of the Iron-works in the said Forrest, which was about the beginning of King *James* his Reign, till the time that the Earle of *Holland* held the Justice seat for the said Forrest, which was in the Year 1636. All the severall grants of the said Woods, and Iron-works of that Forrest (excepting some very inconsiderable quantities) were made under the Great Seal, to *William* Earle of *Pembroke*, and after his death, to Earle *Philip* his Brother, and once for the term of Twelve Years to the Lord *Roberts*, and under those Grants so made to the said Lords, the said Woods and Iron-works, were respectively managed from time to time, by several persons under the Rents, and Conditions, reserved and agreed between them, and the said Lords.

The said Earle *William* was a person of that eminent great honour, wisdom and integrity, for his Country, as also the said Lord *Roberts*, and the said Earle *Philip* so opposite to Popery, or Spanish interest, that no prudent person after information hereof, can suspect that any of their Lordships would willingly, and for so many years together, by cutting the said wood and trees, patronise a treasonable designe against this Kingdom.

The aforesaid suggestion was alleged at the Justice seat, held by the Earle of *Holland* as aforesaid, and in that consideration, and for the necessary preservation of the said Ship-timber for the future; all the Grants of the said Wood, and workes then in being to the said Earle of *Pembroke*, or any under him, were called in, whereof *Sr. John Wintour* had one, for two thousand five hundred Coards yearly, and no more, which he had then enjoyed but for six years, and no longer; and special order was given for an exact Survey, and preservation of all the said Woods and Trees, to persons of special trust and merit, together with the sworn officers of the Forrest, As appears by the Records of the said Justice Seat.

Notwithstanding within one year after, or thereabouts, the said woods and trees with their roots and spray (*viz.* bowes) were granted withal the Iron-works *viz.* four Furnaces, and as many Forges to *Sr. Bainham Throgmorton*, *Sr. Sackvil Crow* Knights; *John Taylor*, and *John Gunning* Merchants of the City of *Bristol*, for the term of one and twenty years, at twelve thousand Coards yearly besides the said Roots and Spray as by the Records appears. Which yearly proportion in lesse time then the said twenty one years, would have caused the cutting down of every tree then growing in the said Forrest, as evidently appears, by a Survey taken the year after, (in virtue of his Majesties commission and instructions) by *Sr. William Masters*, *Sr. Robert Cooke*, *Sr. Walter Pye* Knights. *Nathaniel Stephens*, *James Kerle* then Constable of the said Forrest. *Adrian May* gentleman of his Majesties privy chamber specially nominated by his Majesty, *Henry Stevens*, Gent. and others.

If the cutting down of the said woods and trees afterwards were such a disservice to the Nation as aforesaid, it ought rather to be imputed to those Patentees, then to *Sr. John Wintour*, though *Sr. John Wintour* layes this but in discharge of himself; not that he would asperse or impute any such unworthy designe to persons of honour and worth as they are.

For by the said Commission and Survey which remains upon Record, it appears that the whole quantity of the Woods and Trees in the said Forrest (the *Lea Baley* excepted) was One Hundred Fifty Three Thousand Two Hundred and Nine Coards of Wood or thereabouts, and Sixty one Thousand Nine Hundred Twenty Eight Tuns of Timber or thereabouts, of which said quantity of Timber there was but Fourteen Thousand Three Hundred and Fifty Loads that were Ship-Timber; and that the Trees of that Forrest, were generally decayed, and not above Five Hundred but what were past their full growth, as by the return of the said Commission remaining upon record doth appear.

The Consideration hereof moved his Majesty shortly after to issue a Commission to *Sir Charles Harbert* his Surveyor General, *John George* of *Cirencester*, *William Morgan* then Solicitor to his Majesties Council of the Marches of *Wales*, *Jo. Smith* of *Nibley* Esquires, and *William Singleton* Alderman of the City of *Gloucester* with Instructions from the Lord Treasurer and Chancellor of the Exchequer, to make an approvement of his Majesties said Demesne Wafts and Soyle, which Commission and approvement was executed and made with much exactness and diligence, according to Law, by the said Commissioners, assisted by expert Surveyors upon oath, after sundry treaties and meetings (upon publick notice thereof given) with the Inhabitants of the severall Parishes and Commoners upon several viewes of the said Wafts and Soyle.

The return of the said Commission is upon Record in the Exchequer, and likewise the particular instrument of the said agreement signed by the said Commissioners, and Commoners (who were of the ablest and most substantial of the said Parishes) was also returned thither, but not now to be found.

Not long after his Majesty issued a Commission with particular instructions from the Lord Treasurer and Chancellor as aforesaid, to *Charles Bridgman* Esq; one of the Verderours of the said Forrest, *John a Deane* Gentleman, one of the Regarders of the said Forrest,

Pett and *John Duce* (two of the ablest and most reputed Ship-wrights of that time, particularly deputed by the Commissioners of the Navy from the *Trinity House*,) and others with the assistance of Ship-Wrights of *Bristol*, and other the officers of that Forrest upon oath to view all the Trees within the said Forrest, that contained any Timber in them fit for his Majesties Shipping, and to mark the same with a Stamp, especially such Trees as were fit to be left growing for the future, to certify the number of such Trees, and the quantity of Ship-Timber as aforesaid contained in them.

And by return of the said Commission remaining upon Record, there were marked with the Crown and broad Arrow Nine Thousand Five Hundred and Ninety, containing in them Fifteen Thousand Three Hundred and Nineteen Loads of Ship-Timber, expressing the particular numbers in each respective Woodwardship, as also Nine Hundred Eighty Five young Trees fit to be left growing, containing in them Six Hundred Forty Nine Loads of Ship-Timber, (the Trees in the *Lea Baley* being no part of the said Survey.)

Hereupon after mature deliberation and publick discussion at the Council Table, his Majesty granted under the Great Seal to *Sir Jo. Wintour* all the said improved Soyle, and all his said Woods and Trees within that Forrest, in consideration of Ten Thousand Pounds Fine, Eight Thousand Pounds advance of Rent, Sixteen Thousand pounds yearly for six Years, and the Fee Farm rent of Nineteen Hundred fifty Pounds Twelve Shillings and Eight Pence for ever, having first under the Great Seal Deaforrested the same: which Deaforrestation with all others of the like nature by his Majesty or any of his Predecessours was confirmed by Act of *Parliament* 17. *Carol.* which Patent of Deaforrestation by the late King was taken from *Sir John Wintour* by General *Desborem*, or by his appointment.

There is reserved in the said Patent to his Majesty, Fifteen Thousand Tuns of Ship-Timber without paying for the same, with Proviso if there prove not to be so much, that then *Sir John Wintour* was to pay Nine Shillings for every Tun that should be wanting of the said quantity, and if there proved to be more then the said Fifteen Thousand Tun, his Majesty was to allow the said *Sir John Wintour* the like rate for such surpluse.

The like reservation upon the same termes was made for the young trees more or lesse that should be left standing as aforesaid, wherewith *Sr. John Wintour* was chargeable for the preservation of so many as were growing upon the Lands improved and granted to him as above said, but not of these growing on the 4000. Acres set out for Common.

Note that a tun of Timber cut into Coard-wood is not worth by a great deal so much as the rate aforesaid, so that such misconversion of Timber could not but be a great losse to the Patentee.

Moreover *Sr. John Wintour* was obliged by the said Patent to grant to *Sr. Bainham Throgmorton*, *Sr. Sackvil Crow*, *John Taylor* and *John Gunning* thirteen thousand five hundred Coards of wood yearly, with two of the Furnaces and four Forges for six years, whereby it appears that half of the wood in the said Forrest was to be cut down by them, though all seemed to be done by *Sr. John Wintour*.

Sr. John Wintour incoppiced five thousand acres at least of the said soyle for future growth of wood and timber, which afterwards was destroyed and burned by some disorderly and unknown persons.

Sr. John Wintour enjoyed this Patent but one year and a half, and in that little time preserved and left lying upon the ground seven thousand seven hundred ninety eight Loads, and twenty eight foot of Timber, as appears upon record, which was more then had been preserved in all the cutting in that Forrest of twenty years before. *Sr. John Wintour* makes no benefit of his Patent at the present, nor hath done this nineteen years, since which time there hath been cut down about threescore and ten thousand trees, and in all that time but two Ships built, and much of the Timber for the said Ships was taken out of the *Lea Baley* which was totally excepted out of his grant.

If a better way can be thought on for the preservation of the Ship-timber present or future, or that more will be given his Majesty, then what he is to pay, or that a greater proportion of Common then the five thousand acres may be allowed to the Country which in such case is to be discounted to the Patentee. *Sr. John Wintour* humbly offers to submit all his interest to the justice and wisdom of the Parliament upon satisfaction for so much as he is bound to give out of purs for the same, notwithstanding the profit that he might otherwise make thereby.